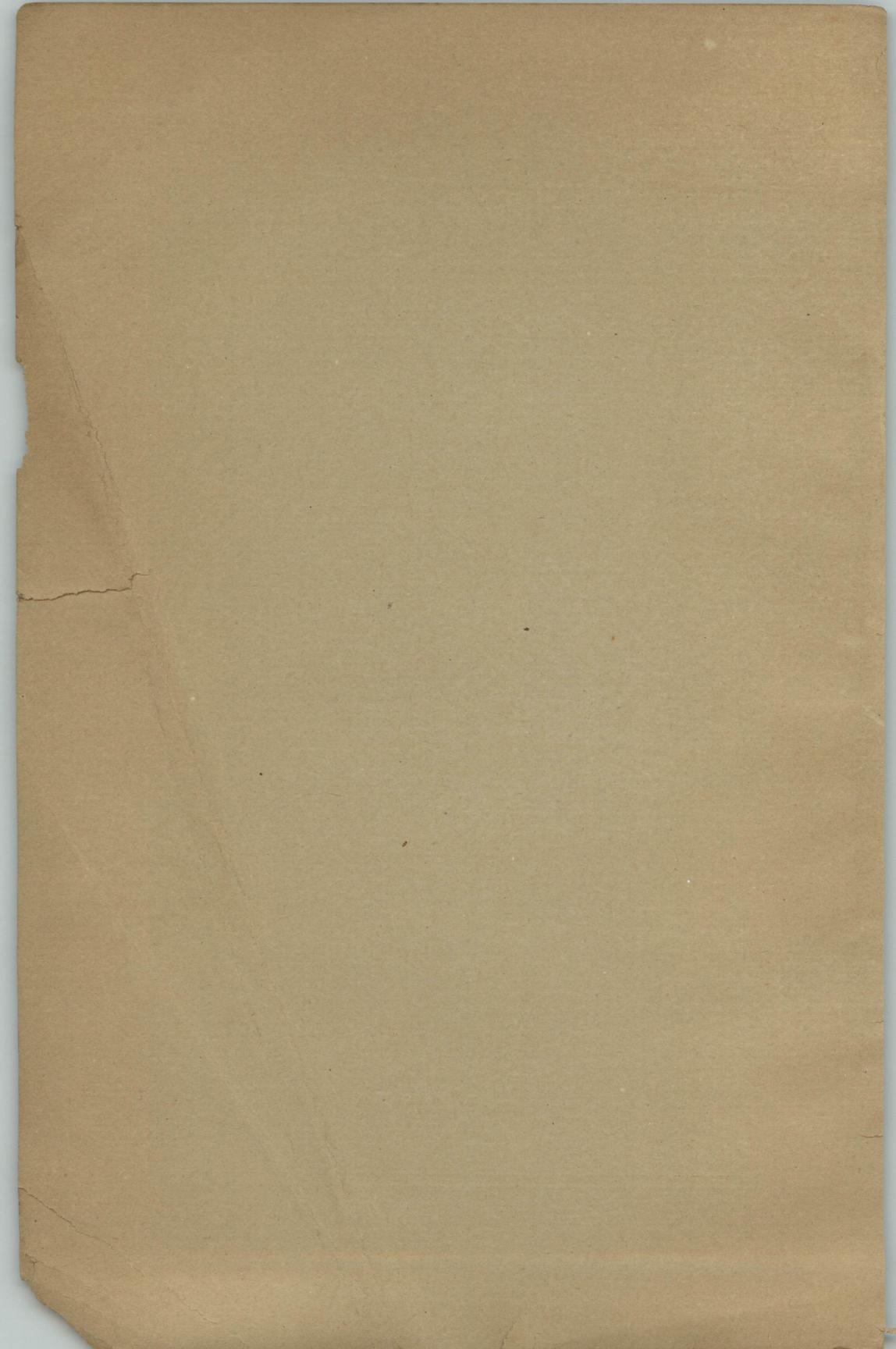


JOURNALS
OF THE
HONORABLE SENATE
AND
HOUSE OF REPRESENTATIVES

OF THE
STATE OF NEW HAMPSHIRE,
SPECIAL SESSION, DECEMBER, 1890.

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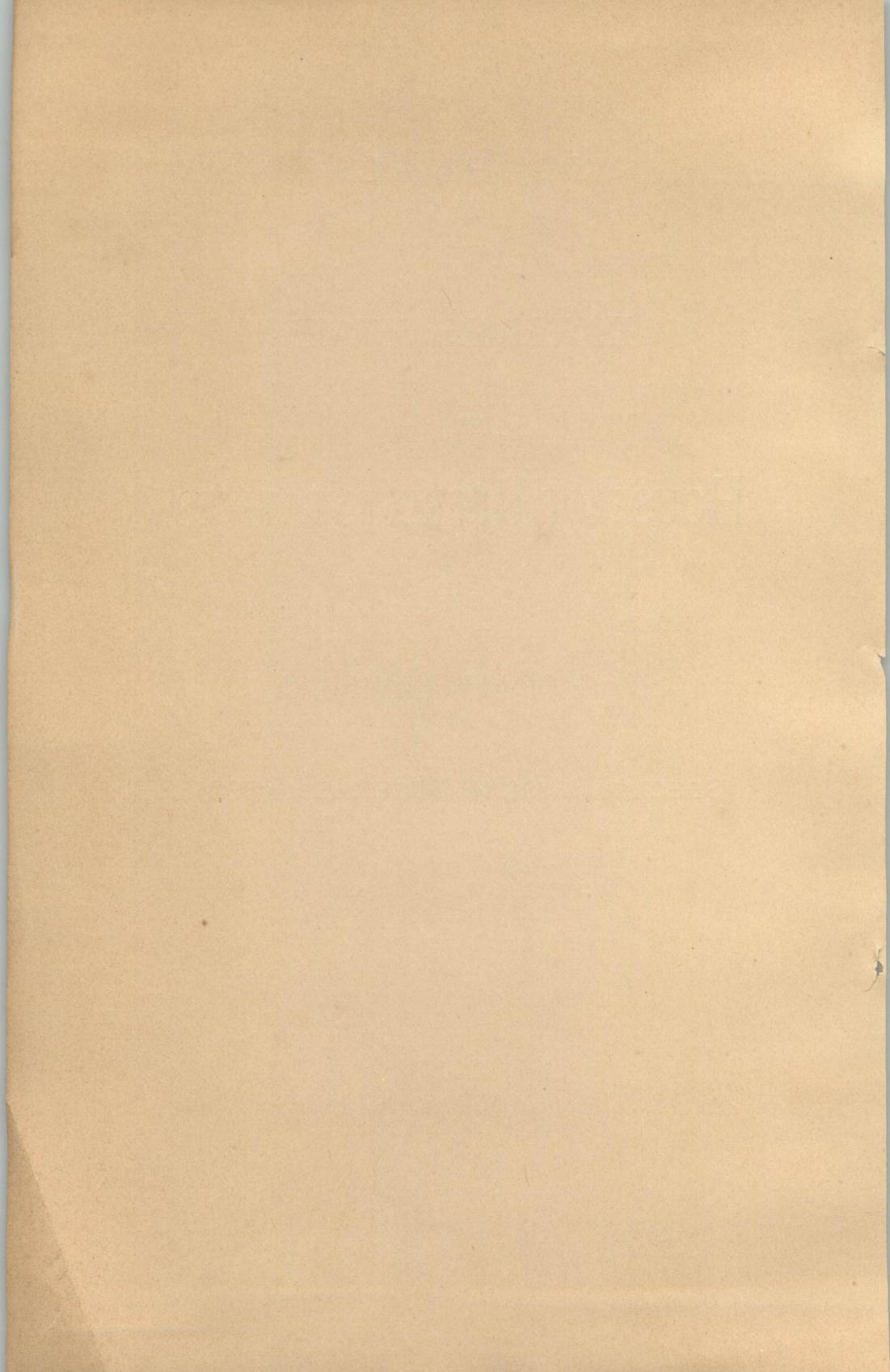
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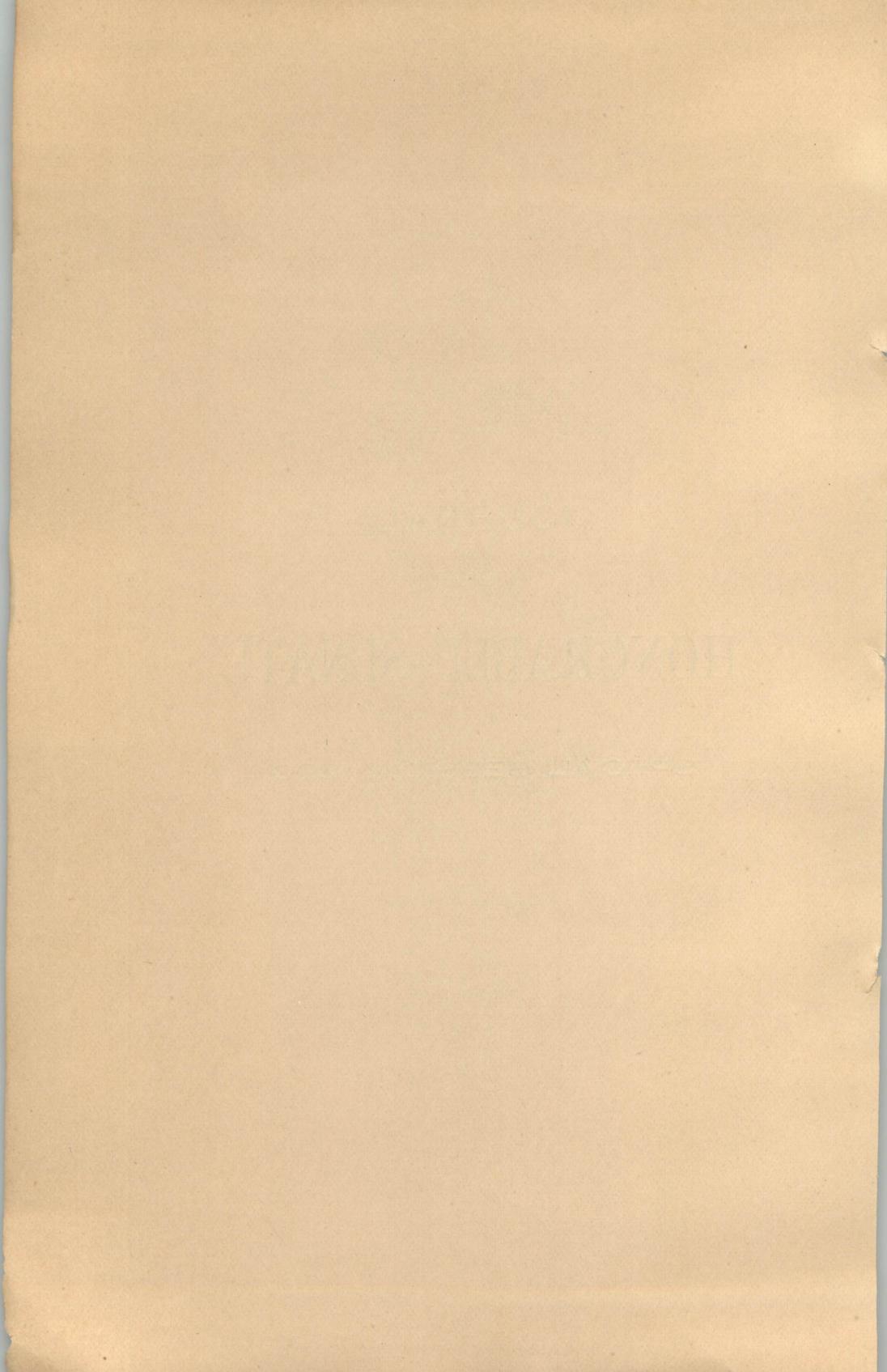
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JOURNAL
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SPECIAL SESSION, 1890.



PROCLAMATION

OF

HIS EXCELLENCE GOVERNOR GOODELL, CALLING A SPECIAL
SESSION OF THE LEGISLATURE.

THE STATE OF NEW HAMPSHIRE.

EXECUTIVE DEPARTMENT.

A PROCLAMATION BY THE GOVERNOR.

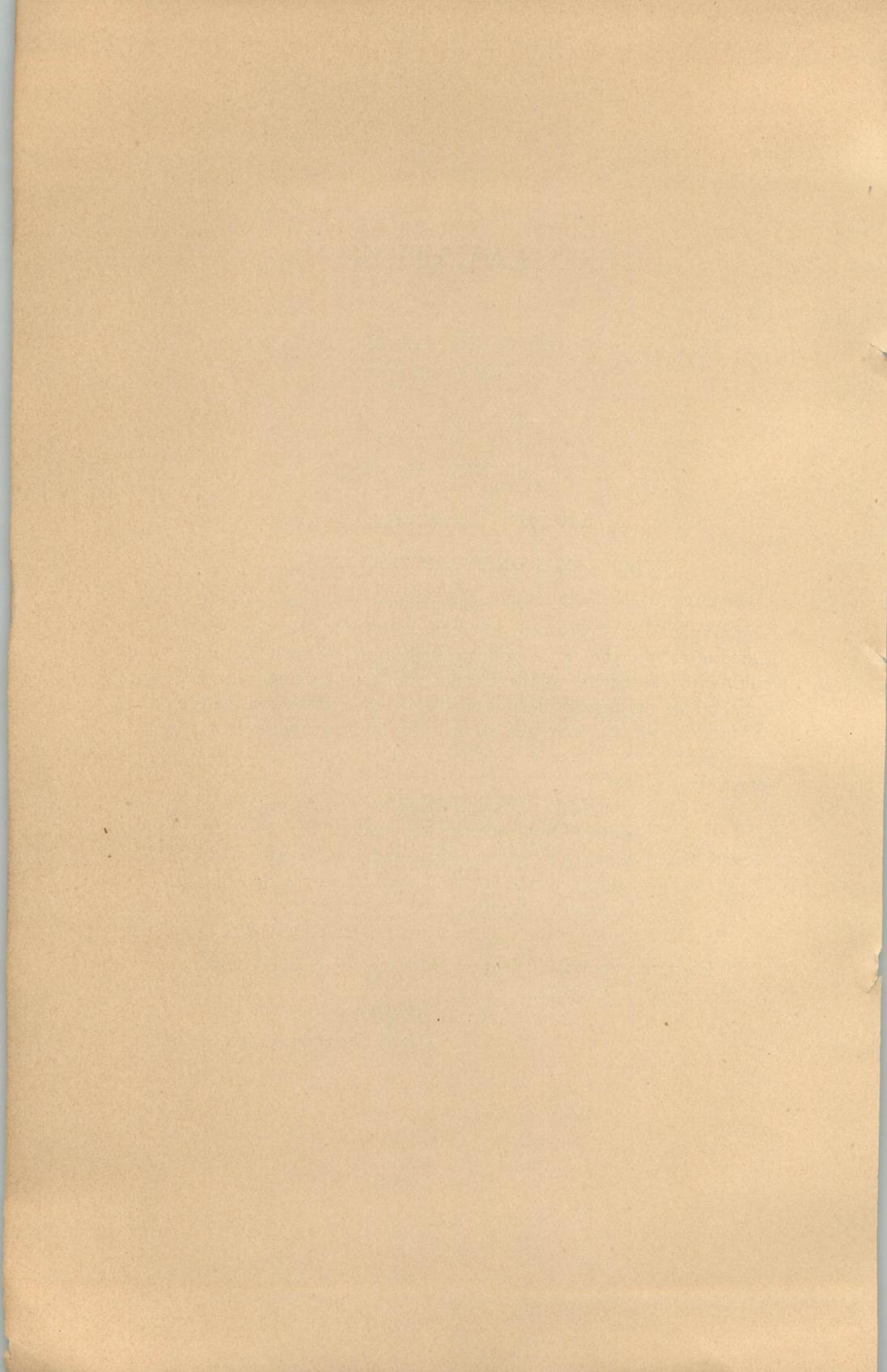
Whereas, the welfare of the State requires the immediate assembling of the Legislature, therefore, I, David H. Goodell, Governor, by virtue of the power vested in me by the Constitution, with the advice of the Council, do hereby summon both branches of the Legislature to assemble at their respective halls in this city, on Tuesday, the second day of December next, at 11 o'clock A. M., there to consider such measures as may be presented to them.

Given at the Council Chamber this twenty-second day of November, in the year of our Lord one [State Seal.] thousand eight hundred and ninety, and of the independence of the United States the one hundred and fifteenth.

D. H. GOODELL.

By His Excellency the Governor, with the advice and consent of the Executive Council.

C. B. RANDLETT,
Deputy Secretary of State.



JOURNAL
OF THE
HONORABLE SENATE.

SPECIAL SESSION, DECEMBER, 1890.

TUESDAY, DECEMBER 2, 1890.

In pursuance of the foregoing proclamation, the Honorable Senate assembled in the capitol, in the city of Concord in said State, on Tuesday, the second day of December, 1890, at 11 o'clock in the forenoon.

PRESENT.

From District No. 1. — Hon. Nathan R. Perkins.
2. — Hon. William H. Mitchell.
3. — Hon. Isaac Willard.
4. — (See Appendix.)
5. — Hon. Thaddeus S. Moses.
6. — Hon. Henry B. Quinby.
7. — Hon. George L. Balcom.
8. — Hon. Augustus Gray.
9. — Hon. John C. Pearson.
10. — Hon. Charles R. Corning.
11. — Hon. James B. Tennant.
12. — Hon. Edward T. Willson.
13. — Hon. Daniel W. Rugg.
14. — Hon. Ezra S. Stearns.
15. — Hon. Frank G. Clarke.

From District No. 16. — Hon. David A. Taggart.
17. — Hon. David A. Gregg.
18. — Hon. Charles T. Means.
19. — Hon. George H. Stearns.
20. — Hon. George S. Butler.
21. — Hon. Edwin G. Eastman.
22. — (See Appendix.)
23. — Hon. John Nute.
24. — (See Appendix.)

The president, Hon. David A. Taggart.

Clerk, Ira A. Chase.

Assistant clerk, Charles J. Hamblett.

The Senate was called to order by the president.

On motion of Senator Willson, the following resolution was adopted :

Resolved, That the House of Representatives be informed that in pursuance of the proclamation of His Excellency the Governor, the Senate has assembled and is now ready to proceed with the business of the special session.

On motion of Senator Pearson, the Senate adjourned.

AFTERNOON.

The Senate met according to adjournment.

On motion of Senator Perkins, the Senate adjourned.

WEDNESDAY, DECEMBER 3, 1890.

The Senate met according to adjournment.

The journal was read and approved.

On motion of Senator Stearns of district No. 14, the rules were so far suspended that he was at this time allowed to intro-

duce a bill entitled "An act relating to the basis of representation in the House of Representatives," which was read a first and second time, and referred to the Committee on Judiciary.

The following message was received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives has passed the following resolution :

Resolved, That information be given the honorable Senate that the House of Representatives has assembled, in accordance with the proclamation of His Excellency the Governor, and is now ready to proceed with the business of the session.

On motion of Senator Eastman, the Senate adjourned.

AFTERNOON.

The following message was received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives has passed the following resolution :

Resolved, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor and inform him that a quorum of both branches of the Legislature have assembled in accordance with his proclamation, are organized and ready to meet in joint convention to receive any communication he may be pleased to make.

The speaker has appointed on the part of the House :

Messrs.

Page of Haverhill,
Garvin of Wakefield,
Phipps of Milan,
Fletcher of Concord,
Barker of Farmington,

Messrs.

Smith of Laconia,
Smith of Alstead,
Parker of Goffstown,
Hodgdon of Portsmouth,
Newton of Unity.

The Senate concurred in the passage of the foregoing resolution, and the president appointed Senators Means, Balcom, and Moses as members of said committee on the part of the Senate.

The following message was received from the House of Representatives by its clerk :

Mr. President :

The House of Representatives has passed the following resolution :

Resolved, That the honorable Senate be requested to meet the House of Representatives immediately in joint convention, for the purpose of receiving any communication that His Excellency the Governor may have to make to the Legislature.

On motion of Senator Stearns of district No. 14, the Senate met the House of Representatives in joint convention.

(See House proceedings.)

Upon reassembling, the following message was received from the House of Representatives by its clerk :

Mr. President :

The House of Representatives has passed the following joint resolution, in the passage of which the House asks the concurrence of the honorable Senate :

Joint resolution in relation to the appropriation provided by chapter 122 of the Laws of 1887 for a Digest of the New Hampshire Reports.

The following joint resolution, sent up from the House of Representatives, was read a first and second time and referred :

To the Committee on the Judiciary :

House joint resolution No. 1, in relation to the appropriation provided by chapter 122 of the Laws of 1887 for a Digest of the New Hampshire Reports.

Senator Clarke, for the Committee on Judiciary, to whom was referred Senate bill No. 1, entitled "An act relating to the basis

of representation in the House of Representatives," having considered the same, reported the same without amendment, and recommended its passage.

The report was accepted.

Senator Quinby moved that the rules be so far suspended that the bill be read a third time and passed at the present time.

The question being stated,

Shall the rules be suspended?

Senator Mitchell demanded the yeas and nays.

The clerk proceeded to call the roll.

The following senators voted in the affirmative:

Senators Willard, Quinby, Balcom, Gray, Pearson, Corning, Tenant, Willson, Rugg, Stearns of District No. 14, Clarke, Taggart, Means, Stearns of District No. 19, Butler, Eastman, and Nutt.

The following senators voted in the negative:

Senators Perkins, Mitchell, and Moses.

Seventeen senators voted in the affirmative and three senators voted in the negative.

The affirmative prevailed, the rules were suspended, the bill read a third time, passed, and sent to the House of Representatives for concurrence.

The following message was received from the House of Representatives by its clerk:

Mr. President:

The House of Representatives has passed the following entitled bill, in the passage of which the House asks the concurrence of the honorable Senate:

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers,

and the duties of the assistant clerk of the House of Representatives.

The following entitled bill, sent up from the House of Representatives, was read a first and second time and referred :

To the Committee on Revision of Laws :

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and the duties of the assistant clerk of the House of Representatives.

On motion of Senator Eastman, the Senate adjourned.

THURSDAY, DECEMBER 4, 1890.

The Senate met according to adjournment.

The reading of the journal having been commenced, on motion of Senator Mitchell, the rules were so far suspended that its further reading was dispensed with.

Senator Stearns of District No. 14, for the Committee on Revision of the Laws, to whom was referred House bill No. 1, entitled "An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and duties of the assistant clerk of the House of Representatives," having considered the same, reported the same with the following amendments, and as amended recommended its passage :

Amend section 2 by adding after the word "Representatives," in the fourth line of the bill, the words "or of the Senate."

Amend the title of the bill by adding the words "and of the Senate."

The report was accepted and the amendments adopted.

And the question being stated,

Shall the bill be read a third time ?

On motion of the same senator, the rules were so far suspended that the bill was read a third time at the present time, passed, and sent to the House of Representatives for concurrence in the Senate amendments thereto.

On motion of Senator Eastman, House joint resolution No. 66, in favor of Ira E. Brown, which was laid on the table at the last session, was taken from the table.

And the question being stated,

Shall the joint resolution be read a third time?

(Discussion ensued.)

On motion of the same senator, the rules were so far suspended that the joint resolution was read a third time at the present time and passed.

Senator Mitchell, for the Committee on Judiciary, to whom was referred House joint resolution No. 1 in relation to the appropriation provided by chapter 122 of the Laws of 1887 for a Digest of the New Hampshire Reports, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted.

And the question being stated,

Shall the joint resolution be read a third time?

On motion of the same senator, the rules were so far suspended that the joint resolution was read a third time at the present time and passed.

On motion of Senator Mitchell, the following resolution was adopted :

Resolved, That a committee of three be appointed by the president to draft and present to the Senate suitable resolutions upon the death of the late senator from District No. 24, the Hon. William Conn.

The resolution was adopted, and the president appointed Senators Mitchell, Gregg, and Stearns of District No. 19 as members of such committee.

The following message was received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives has passed the following concurrent resolution, in the passage of which the House asks the concurrence of the Senate :

Resolved by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to a final adjournment on Thursday, December 4, 1890, at 12 o'clock noon.

And the question being stated,

Will the Senate concur?

On motion of Senator Clarke, the resolution was laid on the table.

The following message was received from the House of Representatives by their clerk :

Mr. President:

The House of Representatives has passed a bill with the following title, in the passage of which the House asks the concurrence of the Senate :

An act to incorporate the Berlin Savings Bank and Trust Company.

The following entitled bill, sent up from the House of Representatives, was read a first and second time and referred :

To the Committee on Banks :

An act to incorporate the Berlin Savings Bank and Trust Company.

Senator Mitchell, for the Committee on Banks, to whom was referred House bill No. 2, entitled "An act to incorporate

the Berlin Savings Bank and Trust Company," having considered the same, reported the same without amendment and recommended its passage.

The report was accepted.

The question being stated,

Shall the bill be read a third time?

On motion of Senator Stearns of District No. 19, the rules were so far suspended that the bill was read a third time at the present time and passed.

On motion of Senator Eastman, the Senate adjourned.

AFTERNOON.

The Senate met according to adjournment.

On motion of Senator Stearns of District No. 19, the Senate adjourned.

FRIDAY, DECEMBER 5, 1890.

The Senate met according to adjournment.

The reading of the journal having been commenced, on motion of Senator Willson, the rules were so far suspended that its further reading was dispensed with.

On motion of Senator Clarke, the following resolution was adopted :

Resolved by the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 11 o'clock A. M.

The following message was received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives concurs with the honorable Senate in their amendments to the following entitled House bill:

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and the duties of the assistant clerk of the House of Representatives.

The House of Representatives deems it inexpedient to legislate upon the following entitled bill sent down from the honorable Senate:

An act relating to the basis of representation in the House of Representatives.

The following message was received from the House of Representatives by its clerk:

Mr. President:

The House of Representatives has passed the following concurrent resolution, in the passage of which the House asks the concurrence of the honorable Senate:

Resolved by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 12 o'clock noon.

On motion of Senator Stearns of District No. 14, the foregoing resolution was laid on the table.

On motion of Senator Eastman, the rules were so far suspended that he was allowed to introduce the following entitled bill, which was read a first and second time:

An act to revive and extend the charter of the Exeter Railway.

On motion of the same senator, the rules were so far suspended that the bill was read a third time at the present time, passed, and sent to the House of Representatives for concurrence.

Senator Mitchell, for the committee on resolutions on the death of Hon. William Conn, made the following report:

FRIDAY, DECEMBER 5, 1890.

17

Resolved, That in the death of the Hon. William Conn of the Portsmouth district, the Senate recognize the loss of a man prominent among his fellows, a public official of extended experience and usefulness, and an associate in this body whose record will be his best memorial in its archives.

Resolved, That the clerk be directed to inform the family of Senator Conn of this action by forwarding to them a copy of these resolutions suitably engrossed.

W. H. MITCHELL,
D. A. GREGG,
GEO. H. STEARNS,
Committee.

The resolutions were unanimously adopted.

Senator Nute, for the Committee on Engrossed Bills, made the following report, which was accepted and adopted :

The Committee on Engrossed Bills report that they have carefully examined and found correctly engrossed bills with the following titles, viz. :

HOUSE BILLS.

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and the duties of the assistant clerk of the House of Representatives and of the Senate.

An act to incorporate the Berlin Savings Bank and Trust Company.

HOUSE JOINT RESOLUTIONS.

Joint resolution in relation to the appropriation provided by chapter 122 of the laws of 1887 for a Digest of the New Hampshire Reports.

Joint resolution (session 1889) in favor of Ira E. Brown.

JOHN H. NUTE,
For the Committee.

The following message was received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives has passed joint resolutions with the following titles, in the passage of which the House asks the concurrence of the Senate :

Joint resolution in favor of the clerks of the Senate and House.

Joint resolution in favor of Lewis Jenkins and others.

The following joint resolution, sent up from the House of Representatives, was read a first and second time :

Joint resolution in favor of the clerks of the Senate and House.

On motion of Senator Stearns of District No. 14, the rules were so far suspended that the joint resolution was read a third time at the present time and passed.

The following joint resolution, sent up from the House of Representatives, was read a first and second time :

Joint resolution in favor of Lewis Jenkins and others.

On motion of Senator Butler, the following amendment was adopted :

Amend the joint resolution by adding the following words, "and Arthur Howison the sum of twenty-five dollars."

On motion of Senator Stearns of District No. 19, the rules were so far suspended that the joint resolution was read a third time at the present time, passed, and sent to the House of Representatives for concurrence in the Senate amendment thereto.

The following messages were received from the House of Representatives by its clerk :

Mr. President:

The House of Representatives concurs with the honorable Senate in the passage of the following entitled bill sent down from the honorable Senate :

An act to revive and extend the charter of the Exeter Railway.

Mr. President :

The House of Representatives concurs with the honorable Senate in the passage of the following entitled concurrent resolution :

Resolved by the Senate, the House of Representatives concurring, that the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 11 o'clock A. M.

Mr. President :

The House of Representatives concurs with the honorable Senate in their amendment to the following entitled joint resolution :

Joint resolution in favor of Lewis Jenkins and others.

Mr. President :

The House of Representatives has passed a joint resolution with the following title, in the passage of which the House asks the concurrence of the Senate :

Joint resolution in favor of Herbert F. Norris and others.

The following joint resolution, sent up from the House of Representatives, was read a first and second time :

Joint resolution in favor of Herbert F. Norris and others.

On motion of Senator Eastman, the rules were so far suspended that the joint resolution was read a third time at the present time and passed.

On motion of Senator Rugg, the Senate took a recess until five minutes of 11 o'clock.

Upon reassembling, Senator Nute, for the Committee on Engrossed Bills, made the following report, which was accepted and adopted :

The Committee on Engrossed Bills report that they have carefully examined and found correctly engrossed bills with the following titles, viz. :

SENATE BILL.

An act to revive and extend the charter of the Exeter Railway.

HOUSE JOINT RESOLUTIONS.

Joint resolution in favor of the clerks of the Senate and House.

Joint resolution in favor of Lewis Jenkins and others.

Joint resolution in favor of Herbert F. Norris and others.

JOHN H. NUTE,
For the Committee.

The following message was received from the House of Representatives by their clerk :

Mr. President :

The House of Representatives has passed the following resolution :

Resolved, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait upon His Excellency the Governor and inform him that the business of the present session of the Legislature has been brought to a close and that both branches of the Legislature are ready to adjourn, and has joined on the part of the House as members of such committee :

Messrs. Sanders of Laconia, Wright of Keene, Garrison of Manchester, Hodgdon of Portsmouth, Fellows of Sandwich, Clark of Lancaster, True of Lebanon, Carr of Andover, Avery of Milton, and Cheney of Newport.

The Senate concurred in the passage of the foregoing resolution, and the president appointed as members of such committee Senators Stearns of District No. 14, Nute, and Perkins.

Senator Stearns, from the joint select committee appointed to wait upon His Excellency and inform him that both branches of the Legislature have completed the business of the session and are ready to receive any communication that he may be pleased to make, reported that they had attended to their duty and were informed by His Excellency that he would in person make a communication to the Legislature.

His Excellency the Governor then appeared and made the following communication to the Senate :

STATE OF NEW HAMPSHIRE.

EXECUTIVE DEPARTMENT.

CONCORD, December 5, 1890.

To the Honorable Senate :

Having been informed by a committee of both branches that the Legislature has completed the business before it, and is ready to be adjourned, it is again my duty to declare a final adjournment of this body.

The acts and resolutions passed by you have all received my approval ; their number is eight.

I congratulate you upon the speedy and harmonious transaction of the business you were called together to perform, and I wish you a pleasant journey to your homes. I do now by the authority vested in me hereby adjourn the Legislature to the last Wednesday in December, in the year of our Lord one thousand eight hundred and ninety.

D. H. GOODELL, *Governor.*

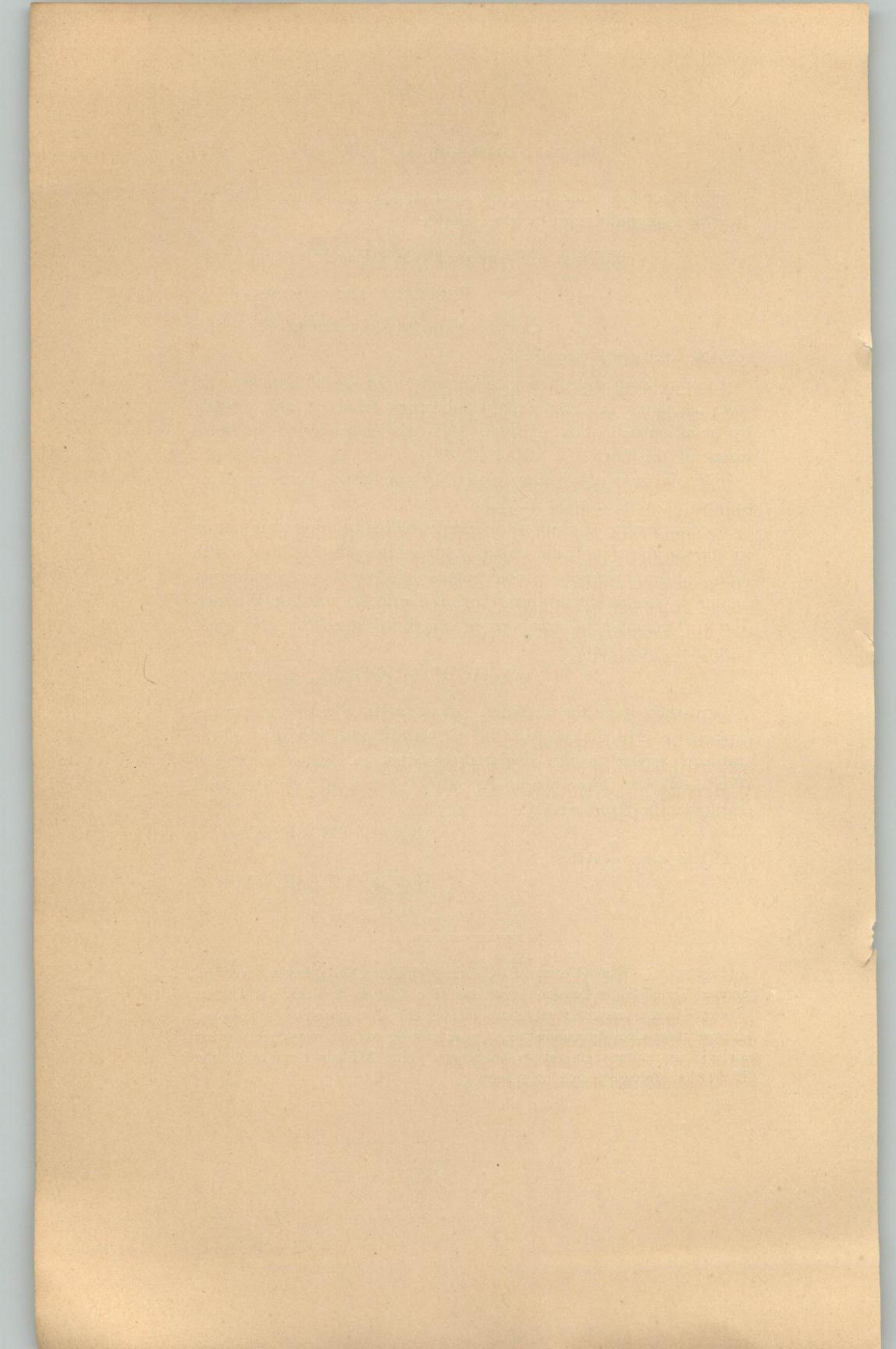
And thereupon the president, in accordance with the proclamation of His Excellency the Governor, and by virtue of the authority vested in him, declared the Senate adjourned to the last Wednesday in December, in the year of our Lord one thousand eight hundred and ninety.

IRA A. CHASE, *Clerk.*

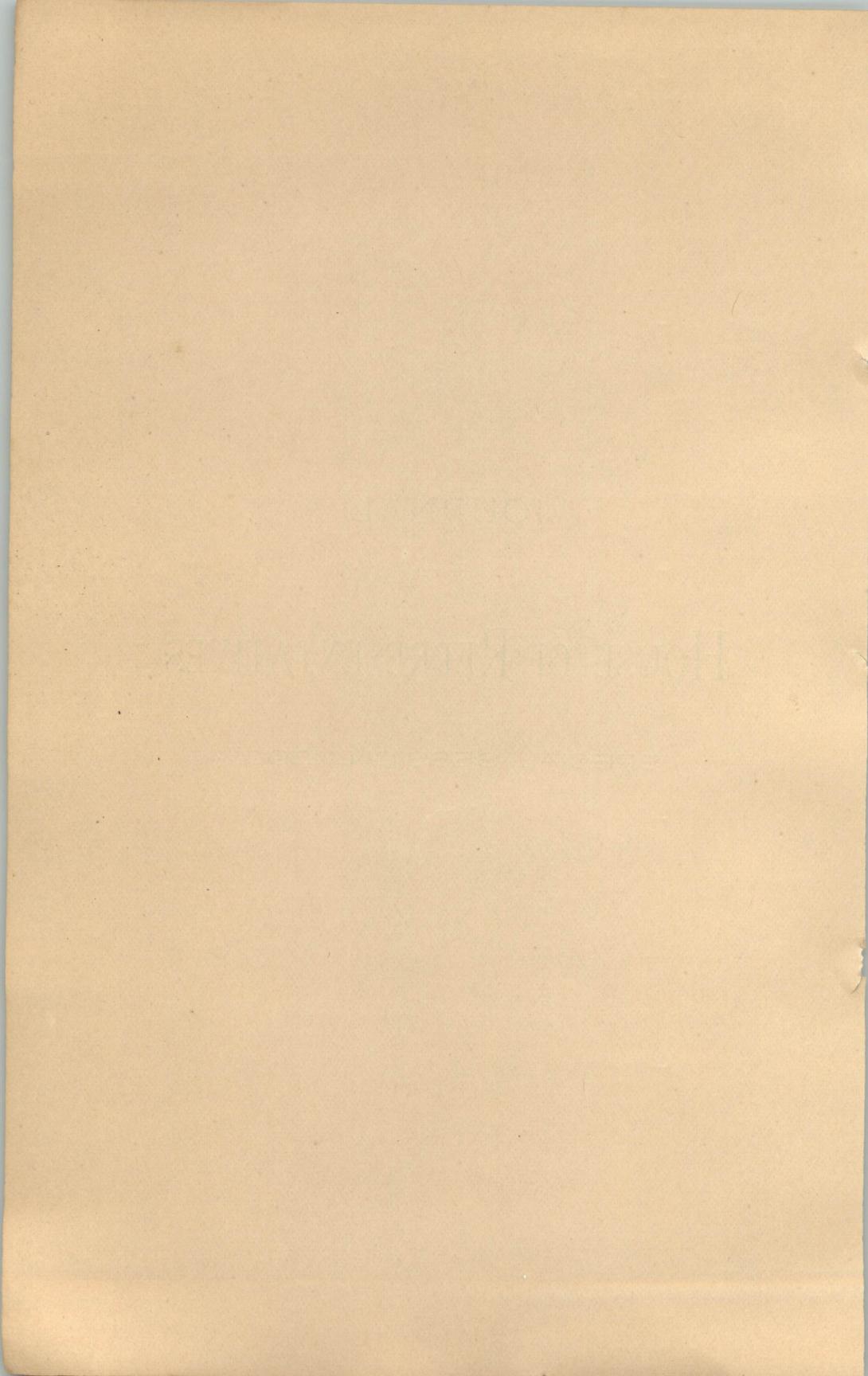
A true copy. Attest :

IRA A. CHASE, *Clerk.*

APPENDIX.—Hon. Thomas P. Cheney of District No. 4, having been appointed United States Pension Agent, and Hon. Charles A. Sinclair of District No. 22 having removed therefrom into District No. 24 since last session, deemed themselves disqualified to act as senators from their respective districts and did not resume their seats in the Senate. Hon. William Conn of District No. 24 had deceased since last session.



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
SPECIAL SESSION, 1890.



THE STATE OF NEW HAMPSHIRE.

EXECUTIVE DEPARTMENT.

A PROCLAMATION BY THE GOVERNOR.

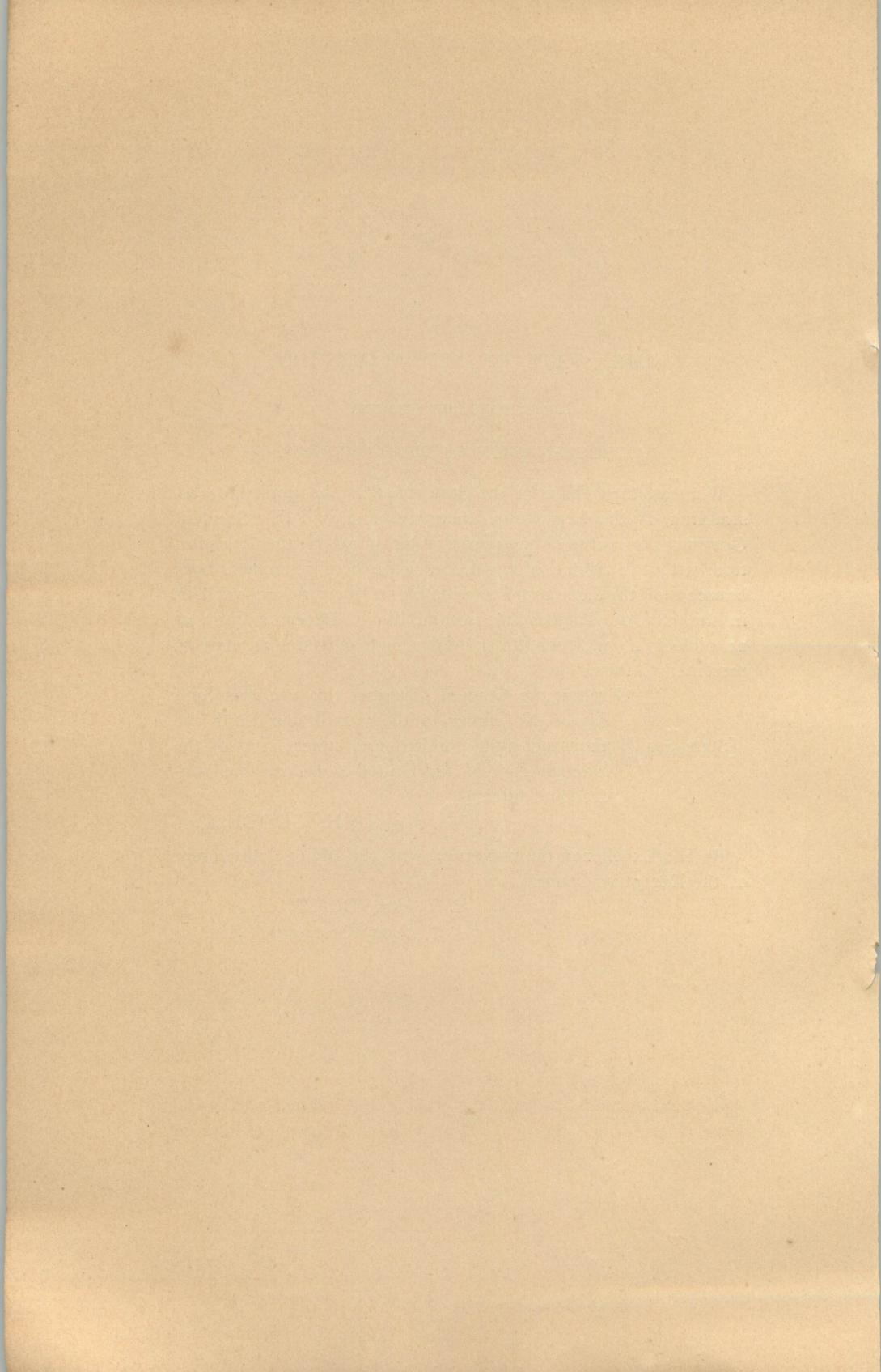
Whereas, the welfare of the State requires the immediate assembling of the Legislature, therefore, I, David H. Goodell, Governor, by virtue of the power vested in me by the Constitution, with the advice of the Council, do hereby summon both branches of the Legislature to assemble at their respective halls in this city, on Tuesday, the second day of December next, at 11 o'clock A. M., there to consider such measures as may be presented to them.

Given at the Council Chamber this twenty-second day of November, in the year of our Lord one thousand eight hundred and ninety, and of the independence of the United States the one hundred and fifteenth.

D. H. GOODELL.

By His Excellency the Governor, with the advice and consent of the Executive Council.

C. B. RANDLETT,
Deputy Secretary of State.



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES.

SPECIAL SESSION, 1890.

TUESDAY, December 2, 1890.

A quorum of the whole number of representatives from the several towns, wards, and districts of the State of New Hampshire, having assembled in the capitol, in the city of Concord, in said State, on Tuesday, December 2, 1890, being the day designated in the foregoing proclamation of His Excellency the Governor, they were called to order by the speaker, Hon. Hiram D. Upton.

Prayer was offered by Rev. A. T. Hillman of Concord.

On motion of Mr. Greene of Hopkinton, —

Resolved, That all questions touching upon the qualifications of members of the House be referred to the Committee on the Judiciary, and that said committee make its report thereon in a half hour, and that the House take a recess for that length of time.

Before declaring a recess the speaker appointed Mr. Cummings of Francestown as a member of the Committee on the Judiciary, and chairman thereof, to fill the vacancy occasioned by the decease of its former chairman, Hon. Gilman Marston of Exeter.

RECESS.

The speaker then declared the House at recess for a half hour.

11.40 A. M.

The time of the recess having expired, the speaker called the House to order.

Mr. Greene of Hopkinton stated to the House that the Committee on the Judiciary would not be able to make their report in the time allotted to them, and on motion of the same gentleman the committee was given until 3 o'clock this afternoon in which to consider the questions submitted to them and make their report.

On motion of the same gentleman, the House adjourned to 3 o'clock this afternoon.

AFTERNOON.

The House met at 3 o'clock.

(The speaker in the chair.)

Mr. Chamberlin of Berlin having since the morning session resigned his place as a member of the Committee on the Judiciary, the speaker appointed Mr. Greene of Hopkinton as a member of the committee to fill the vacancy.

Fred E. Spencer, one of the pages of the House, having resigned, the speaker appointed in his place Frank W. Brown of Concord.

Mr. Greene of Hopkinton, for the Committee on the Judiciary, stated to the House that the committee would not be able to complete the work committed to them so as to make a report at this time, and asked that the committee might have the remainder of the afternoon in which to hear parties appearing and make their report.

The request was granted.

Mr. Greene of Hopkinton moved that the House take a recess until 7.30 o'clock this evening.

Mr. Hodgdon of Portsmouth moved to amend the motion by substituting the hour of 11 o'clock to-morrow forenoon.

The motion of Mr. Greene of Hopkinton was withdrawn.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by the clerk :

Mr. Speaker :

I am directed to announce that in pursuance of the proclamation of His Excellency the Governor, the Senate have assembled and are now ready to proceed with the business of the special session.

On motion of Mr. Greene of Hopkinton, the House adjourned to 10 o'clock to-morrow forenoon.

WEDNESDAY, DECEMBER 3, 1890.

The House met at 10 o'clock.

(The speaker in the chair.)

Prayer was offered by Rev. Luther F. McKinney of Manchester.

REPORT OF COMMITTEE.

Mr. Cummings of Francestown, for the Committee on the Judiciary, submitted the following report :

The Committee on the Judiciary, having considered the subject of the qualifications of members, in connection with the resolution of the House, report as follows :

That the clerk be informed that Mr. Marston of Exeter, Mr. Lord of Manchester, Mr. Moore of Pittsfield, and Mr. Bohan of

Manchester have deceased since the last regular session of the House, and he be instructed to strike their names from the roll.

That the clerk be informed that Mr. Marsh of New Ipswich, Mr. Barron of Carroll, Mr. Bragg of Errol, Mr. Cofran of Pembroke, and Mr. Clark of Lancaster, hold office under the United States, and recommend that their names be struck from the roll.

That the following gentlemen, Mr. O'Connell of Nashua, Mr. Doyle of Nashua, Mr. Pittsinger of Keene, Mr. O'Connor of Manchester, Mr. Boire of Manchester, Mr. Archambeault of Manchester, Mr. Marcotte of Somersworth, Mr. Cronin of Portsmouth, Mr. Waldo of Northfield, Mr. Beane of Lyme, Mr. Bean of Pittsburg, have ceased to be inhabitants of the towns or places they represent, and recommend that their names be struck from the roll.

That the clerk be informed that Mr. Chamberlin of Berlin holds the office of judge of a court, and recommend that his name be struck from the roll.

That the clerk be informed that Mr. Welch of Dover and Mr. Smith of Concord hold office under the United States, and recommend that their names be struck from the roll.

We further report that members who have been appointed census enumerators have not in our opinion lost their seats in the House, and recommend the adoption of the accompanying resolution.

G. W. CUMMINGS,
For the Committee.

The undersigned members of the committee concur in the report of the majority, except upon the question of the right of members who have accepted positions of census enumerators to retain their seats; and upon that question they respectfully dissent.

HARRY BINGHAM.
SAMUEL B. PAGE.
OLIVER E. BRANCH.
E. B. S. SANBORN.
JOHN S. COLLINS.

RESOLUTION ACCOMPANYING REPORT OF THE COMMITTEE ON THE
JUDICIARY.

STATE OF NEW HAMPSHIRE.

HOUSE OF REPRESENTATIVES,

DECEMBER SPECIAL SESSION, 1890.

Resolved, That the following names be stricken from the roll of the House :

Gilman Marston, Samuel D. Lord, John F. Bohan, George M. Moor, Joseph E. F. Marsh, Jr., Oscar Barron, Lewis C. Bragg, George P. Cofran, John M. Clark, Daniel O'Connell, Jeremiah J. Doyle, Edward Pittsinger, Dennis F. O'Connor, Felix M. Boire, Jean B. Archambeault, William Marcotte, Timothy F. Cronin, John Waldo, Jacob W. Bean, Abner J. Bean, Robert N. Chamberlin, John T. Welch, Converse J. Smith.

The report of the committee was accepted and the resolution adopted.

The following communication was read by the speaker :

SOUTH BERWICK, MAINE,
November 24, 1890.

*Hon. Hiram D. Upton, Speaker of the New Hampshire House
of Representatives :*

DEAR SIR,—In view of the fact that the Legislature has been summoned by His Excellency Governor Goodell, to assemble in special session, which it will be inconvenient for me to attend, and in consideration of the further fact that my legal right to act in that capacity is questioned by some, owing to my removal from the State, I hereby tender my resignation as clerk of the House of Representatives.

Through you I desire to express my gratitude to the members of the House for the honor they conferred on me in electing me to this office, and for the uniform kindness I have received at their hands, and my deep regret that circumstances prevent my attend-

ance at the special session and the completion of the duties of the office.

Very respectfully yours,
GEORGE A. DICKEY.

On motion of Mr. Heath of Manchester,—

Resolved, That Stephen S. Jewett of Laconia is hereby appointed clerk, and William Tutherly of Claremont assistant clerk, of the House of Representatives.

Stephen S. Jewett and William Tutherly appeared and were duly qualified by the speaker as clerk and assistant clerk respectively, and entered upon the discharge of their duties.

A true record. Attest:

STEPHEN S. JEWETT,
Assistant Clerk, 1889-90.

On motion of Mr. Page of Haverhill,—

Resolved, That information be given the honorable Senate that the House of Representatives have assembled in accordance with the proclamation of His Excellency the Governor, and are now ready to proceed with the business of the session.

On motion of Mr. Page of Haverhill,—

Resolved, That Mr. Edmond Blais having been elected a representative to this session from the town of Pittsburg, at a legal meeting of the inhabitants thereof, held in said Pittsburg on the first Tuesday of December, 1890, he be entitled to a seat in this House, upon being duly qualified by His Excellency the Governor.

Mr. Page of Haverhill demanded a call of the roll of the House, for the purpose of ascertaining what members were present, including the names of those members whom the clerk had been instructed to strike from the roll by resolution adopted by the House.

The clerk proceeded to call the roll, when two hundred and ninety-six members were ascertained to be present, viz.:

ROCKINGHAM COUNTY. Austin, Brewer, Brown of Raymond, Casey, Cilley, Conlon, Cronin, Darbe, Eaton of Auburn, Eaton of South Hampton, Eaton of Seabrook, Eldridge, Emerson of Hampstead, Fellows of Exeter, Flanders of Plaistow, Folsom, Greenough, Hall of Chester, Healey of Hampton Falls, Hodgdon of Portsmouth, Hodgdon of Newmarket, Holmes of Nottingham, Hoyt, Ilsley, Lamprey of North Hampton, Lane of Hampton, Learnard, Martin of Fremont, Neale of South Newmarket, Packer, Pickering, Pike of Epping, Rand, Randall, Reynolds, Robie of Londonderry, Rowe, Rowell of Newton, Russell of Portsmouth, Scammon, Smyth of Northwood, Stoddard, Treadwell, Turner, Wheeler, Milton G. Woodbury, Oliver G. Woodbury.

STRAFFORD COUNTY. Avery, Barker, Bennett, Burnham of Durham, Coburn, Flanders of Rochester, Haley of Barrington, Hartigan, Hussey, Killoren, Laughlin, Marcotte, Nealley, Norris, Parsons of Somersworth, Plummer, Rines, Ritchie, Seavey of Rochester, Seavey of Somersworth, Steele, Straw, Torr, Twombly, Waldron, Welch of Somersworth, Willey, Yeaton.

BELKNAP COUNTY. Brown of Gilmanton, Cox, Daniels, Davis of Belmont, Emerson of New Hampton, Knight, Leavitt, Pepper, Rollins, Sanders, Smith of Meredith, Smith of Laconia, Weeks of Gilford.

CARROLL COUNTY. Ames, Atkinson, Brown of Moultonborough, Davis of Conway, Fellows of Sandwich, Gale, Garvin, Gilman, Manning, Mason, Milliken, Perkins, Pitman, Roberts, Stuart, Weeks of Chatham, Woodward of Conway.

MERRIMACK COUNTY. Adams, Ayers, Bartlett, Bean of Warner, Campbell of Concord, Carr, Clark of Henniker, Crippen, Davis of Franklin, Dunlap of Salisbury, Edgerly, Emmons, Evans of Pittsfield, Fletcher, Gay, Graves, Greene, Hall of Epsom, Holmes of Webster, Hutchinson, Judkins, Lane of Concord, Lantry, Larabee, Morrill of Hopkinton, Morrill of Concord, Morse, Page of Dunbarton, Quimby of Bow, Rowell of Concord, Sanborn of Franklin, Sanborn of Loudon, Sargent of New London, Shaw, Thompson, Webster.

HILLSBOROUGH COUNTY. Archambeault, Barnard, Boire, Bosworth, Branch, Buchanan, Campbell of Manchester, Chase, Che-

ney of Manchester, Collins of Nashua, Corey, Crawford, Cummings of Francestown, Cummings of Nashua, Dockham, Dodge, Doe, Dow, Doyle, Dunlap of Nashua, Fisk, Flynn, Freeman, Gillis, Goodell, Goodhue, Gordon, Gould of Manchester, Gove, Hadley, Hall of Greenville, Hamblett, Harrison, Heath, Hills, Jackman, Jacobs, Lefebvre, Little, Marsh, McIntosh, Nutter, O'Connor, O'Malley, O'Neal, Parker of Goffstown, Potter, Prescott, Robie of Manchester, Robitaille, Russell of Windsor, Sawyer, Smith of Milford, Smith of New Boston, Spaulding, Stevens of Bennington, Stickney, Sulloway, Upton, Webster of Manchester, Woodward of Lyndeborough, Woodbury of Pelham, York.

CHESHIRE COUNTY. Bigelow, Bowen, Brown of Walpole, Butler, Carpenter, Collins of Gilsum, Driscoll, Ellis, Farwell, Faulkner, Fay, Goodnow, Hale, Howard, Kiniry, McCollester, Parsons of Swansey, Perry, Reed, Smith of Alstead, Stearns of Hinsdale, Taylor, Wardwell, Watkins, Whittemore, Wright.

SULLIVAN COUNTY. Bascom, Cheney of Newport, Farnum, Fisher, Gould of Newport, Holt, Johnson, Neal of Acworth, Newman, Newton of Unity, Sabine, Sargent of Sunapee, Stockwell, Tyler, Walker, Wellman, Whipple of Claremont.

GRAFTON COUNTY. Abbott of Bethlehem, Aldrich, Ballou, Bingham, Burley, Calhoun, Clough, Dalton, Davis of Warren, Drury, Huntington, James, Keniston, Kendrick, Lamprey of Orford, Martin of Grafton, Muchmore, Noyes, Page of Haverhill, Palmer, Parker of Franconia, Perley, Pratt, Robie of Plymouth, Sargent of Holderness, Smith of Hanover, Story, Tarlton, True, Warner, Weeks of Woodstock, Whipple of Lebanon.

COOS COUNTY. Amy, Barron, Bragg, Burnham of Jefferson, Chamberlin, Clark of Lancaster, Cook, Dudley, Evans of Gorham, Leighton, McKellips, Miner, Owen, Phipps, Pike of Stark, Quimby of Whitefield, Smith of Lancaster.

REPORT OF COMMITTEE.

Mr. Greene of Hopkinton, for the Committee on the Judiciary, presented the following report :

The Committee on the Judiciary ask leave to introduce the accompanying resolution, and recommend its passage:

Joint resolution in relation to the appropriation provided by chapter 122 of the Laws of 1887 for a Digest of New Hampshire Reports.

Leave was granted and the resolution was read once, and on motion of Mr. Greene of Hopkinton the rules were suspended, the resolutions read a second and third time, passed, and sent to the Senate for concurrence.

Mr. Cheney of Newport asked for a suspension of the rules to permit him to introduce the following entitled bill:

An act in addition to chapter 3 and chapter 35, General Laws, further defining the qualifications of legislative officers, and the duties of the assistant clerk of the House of Representatives.

Mr. Page of Haverhill called for a reading of the bill for the information of the House, and the bill was read by the clerk.

RULES SUSPENDED.

The rules were suspended, the bill read a first and second time and referred to the Committee on the Judiciary.

On motion of Mr. Page of Haverhill,—

Resolved, That the rules of the House for the last session be the rules of the House for the present session until otherwise ordered by the House, and that the joint rules of the Senate and House for the last session be adopted as the joint rules of the Senate and House for the present session until otherwise ordered by the House.

On motion of Mr. Page of Haverhill,—

Resolved, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait on His Excellency the Governor and inform him that a quorum of both branches of the Legislature have assembled in accordance with

his proclamation, are organized, and ready to meet in convention to receive any communication he may be pleased to make.

COMMITTEE APPOINTED.

The speaker appointed as members of such committee on the part of the House :

Messrs. Page of Haverhill, Smith of Laconia, Garvin of Wakefield, Smith of Alstead, Phipps of Milan, Parker of Goffstown, Fletcher of Concord, Hodgdon of Portsmouth, Barker of Farmington, Newton of Unity.

On motion of Mr. Sanders of Laconia, —

Resolved, That the clerk be instructed to make up the pay-roll for mileage for members immediately, and for the same number of miles as at the last session ; the mileage for any new member at this session to be reported by such member to the clerk, who shall enter his name and the amount of mileage due him on said mileage roll.

On motion of Mr. Hodgdon of Portsmouth, the House adjourned until 3 o'clock this afternoon.

AFTERNOON.

The House met at 3 o'clock.

(The speaker in the chair.)

On motion of Mr. Gould of Manchester, —

Resolved, That the honorable Senate be requested to meet the House of Representatives immediately in joint convention, for the purpose of receiving any communication that His Excellency the Governor may have to make at the present session of the Legislature.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate concur with the House of Representatives in the appointment of a committee to wait on His Excellency the Governor and inform him that the Legislature is now organized and is ready to receive any communication he may be pleased to make, and join on their part Senators Means, Balcom, and Moses.

IN CONVENTION.

The Senate having met the House in joint convention, His Excellency the Governor, having been duly announced, appeared before the convention and read the following message :

Gentlemen of the Senate and House of Representatives :

Since the election in this State on the 4th of November last, grave questions have arisen in regard to the powers and duties of the clerk of the present House of Representatives, and in regard to the constitutional and legal rights of many towns to representation in the Legislature that will convene on the first Wednesday in January next. Out of these questions have grown radical differences of opinion and fierce contentions, which threaten the peace and dignity of the State. In the belief that it is entirely within the province of your honorable bodies to take such action as will decide these questions beyond dispute, and thereby rescue the State from impending peril, I have summoned you to assemble in extra session.

The Constitution, as amended in 1889, forbids the classing of towns for the election of representatives to the General Court, and thereby the towns formerly classed come under the constitutional provision that they shall be *pro rated* for the purpose of electing such representatives. The Legislature at its last session neglected to determine the proportionate part of time to which such towns may be entitled to representation. It is plain that the inhabitants of such towns are entitled to a fair representation. I understand that each of the towns formerly classed has elected a representative. By a plain construction of the Constitution none of them are entitled to admission.

Again, the Constitution allows one representative to every town and ward having six hundred inhabitants, and an additional

representative for every twelve hundred additional people. A large number of representatives have been elected in towns and wards according to the increase of population as shown by the census of 1890. The clerk, in making up his roll of members of the House of Representatives in 1881, did not include the names of those elected under similar circumstances. The next day after the organization of the House, Mr. Hatch of Greenland introduced a resolution declaring that these men had a right to membership. This resolution was referred to the Judiciary Committee, upon which Mr. Bingham of Littleton, for the committee, made the following report: "That according to the requirements of the Constitution of New Hampshire, representation in the present House is based on the census of the United States taken in the year 1880."

The House unanimously adopted this report, overruled the action of the clerk, and declared that these men were entitled to membership. This action of the House was based on the report presented by the Judiciary Committee, that such additional representatives were entitled to their seats, not by the favor or votes of the House, but as a matter of constitutional right.

What action should be taken by you under these circumstances I submit to your candid consideration. I regret exceedingly the circumstances that made it necessary to put you to the trouble and the State to the expense of assembling in extra session, and I hope the work before you will be cheerfully and quickly accomplished.

On motion of Mr. Huntington of Hanover, the convention rose.

IN THE HOUSE OF REPRESENTATIVES.

REPORTS OF COMMITTEES.

Mr. Faulkner of Keene, for the Committee on the Judiciary, to whom was referred the House bill entitled "An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers, and the duties of the assistant clerk of the House of Representatives," having consid-

ered the same, reported the same in a new draft and recommended its passage.

The bill in a new draft, as reported by the committee, was read once, and on motion of Mr. Cheney of Newport, the rules were suspended and the bill read a second and third time, passed, and sent to the Senate for their concurrence.

Mr. Bingham of Littleton, for the Committee on the Judiciary, presented the following report :

The Committee on the Judiciary, feeling that an appropriate expression from this House is due to the memory of General Marston, report the following resolution and recommend its adoption :

Resolved, That we entertain profound respect for the life and character of our late associate, Gilman Marston, and we make this testimonial of our estimate of him, that he was an honest man, a good citizen, a wise legislator, a true patriot, and a brave soldier.

The report was accepted and the resolution unanimously adopted.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker:

The Senate have passed the following entitled bill, in the passage of which they ask the concurrence of the House of Representatives :

An act relating to the basis of representation in the House of Representatives.

SENATE BILL FORWARDED.

The following entitled bill, sent down from the honorable Senate, was read twice and referred to the Committee on the Judiciary :

An act relating to the basis of representation in the House of Representatives.

On motion of Mr. Branch of Weare, —

Resolved by the House of Representatives, the Senate concurring, That the present session of the Legislature be brought to a final adjournment on Thursday, December 4, 1890, at 12 o'clock noon.

RULES SUSPENDED.

Mr. Holt of Claremont asked for a suspension of the rules, which was granted, to introduce the following entitled bill :

An act to incorporate the Berlin Savings Bank and Trust Company.

The rules were suspended and the bill was read once, and on motion of Mr. Branch of Weare, the rules were further suspended, the bill read a second and third time and passed, and sent to the Senate for their concurrence.

On motion of Mr. Branch of Weare, —

Resolved, That when the pay-roll is made up, members whose names have been stricken from the roll, who have been in attendance during the session, be allowed pay for four days and mileage.

Mr. Edmond Blais, the representative whose name the clerk was instructed to place upon the roll on being duly qualified, having taken the required oaths, appeared, and his name was placed upon the roll as a member of this House.

On motion of Mr. Branch of Weare, the House adjourned.

THURSDAY, DECEMBER 4, 1890.

The House met at 10 o'clock.

(The speaker in the chair.)

Prayer was offered by Rev. S. H. McCollester of Marlborough.

On motion of Mr. McCollester of Marlborough, —

Resolved, That in the death of Samuel D. Lord, Esq., of Manchester, since the last session of this House, we bemoan our loss of one who had proved himself in an unostentatious manner a faithful representative, an earnest and wise member of the Committee of Education, in years past a popular clerk of the House of Representatives, a successful lawyer, a wise educator, and an inestimable man.

On motion of Mr. Hadley of Weare, —

Resolved, That in the death of George M. Moore of Pittsfield and John F. Bohan of Ward 5, Manchester, the Legislature of New Hampshire loses two upright and honorable members, whose presence is missed at this time. We recognize the loss of two affable and unassuming gentlemen, whose conduct made them worthy of and creditable to the position of honor and trust to which they were elevated by their fellow citizens.

NOTICE OF RECONSIDERATION.

Mr. Sanders of Laconia gives notice of his intention to move to reconsider the vote passed yesterday instructing the clerk to place upon the roll of the House the name of Edmond Blais of Pittsburg.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate concur with the House of Representatives in the passage of the following bill, with amendments, in the passage of which amendments they ask the concurrence of the House of Representatives :

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and duties of the assistant clerk of the House of Representatives.

Amend section 2 by adding after the word "Representatives," in the fourth line of the bill, the words "or of the Senate."

Amend the title of the bill by adding the words "and of the Senate."

The Senate concur with the House of Representatives in the passage of the following joint resolutions :

Joint resolution in relation to the appropriation provided by chapter 122 of the Laws of 1887 for a Digest of the New Hampshire Reports.

Joint resolution in favor of Ira E. Brown, session of 1889.

The House of Representatives concurred with the honorable Senate in their amendments to the following entitled House bill :

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and the duties of the assistant clerk of the House of Representatives.

On motion of Mr. Cummings of Francestown, —

Resolved, That when the House adjourns this forenoon, it be to meet this afternoon at 3 o'clock.

Mr. Cummings, for the Committee on the Judiciary, stated that the committee would not be able to make any report this forenoon, but hoped to be able to do so at the coming in of the House this afternoon.

Mr. Sanders of Laconia, agreeably to his previous notice, moved that the vote whereby the House authorized the clerk to put the name of Edmond Blais on the roll be reconsidered, and that the matter be referred to the Committee on Elections.

(Discussion ensued.)

Mr. Page of Haverhill opposed the motion and stated that no advantage was taken or intended in the placing of the name of Mr. Blais on the roll, and it did not involve any of the questions that are now agitating the people.

Mr. Branch of Weare also opposed the motion.

Messrs. Sanders of Laconia, Heath of Manchester, and Cummings of Francestown spoke in favor of the motion.

Mr. Page of Haverhill moved to lay on the table.

The motion was withdrawn.

Mr. Sanborn of Franklin, not being present when the question was stated, inquired what the question under discussion was, and the question was again stated by the speaker.

Mr. Sanborn then spoke against the motion of Mr. Sanders.

Mr. Page of Haverhill renewed his motion to lay upon the table.

On *viva voce* vote the motion prevailed.

Mr. Sanders of Laconia demanded the yeas and nays, and the clerk proceeded to call the roll with the following result :

Roll-Call of the House.

One hundred and forty gentlemen voted in the affirmative, viz. :

ROCKINGHAM COUNTY. Austin, Brewer, Brown of Raymond, Casey, Conlon, Eaton of Auburn, Eaton of Seabrook, Eldredge, Fellows of Exeter, Folsom, Greenough, Hall of Chester, Hodgdon of Newmarket, Hoyt, Ilsley, Lamprey of North Hampton, Learnard, Packer, Pickering, Pike of Epping, Rand, Randall, Rowell of Newton, Russell of Portsmouth, Scammon, Stoddard, Treadwell, Turner, Milton G. Woodbury, Oliver G. Woodbury.

STRAFFORD COUNTY. Avery, Barker, Bennett, Burnham of Durham, Coburn, Flanders of Rochester, Hartigan, Killoren, Laughlin, Norris, Parsons of Somersworth, Plummer, Ritchie, Seavey of Rochester, Steele, Torr, Welch of Somersworth, Willey.

BELKNAP COUNTY. Cox, Daniels.

CARROLL COUNTY. Ames, Davis of Conway, Gale, Garvin, Milliken, Perkins, Roberts, Stuart, Woodward of Conway.

MERRIMACK COUNTY. Ayers, Bartlett, Campbell of Concord, Carr, Davis of Franklin, Dunlap of Salisbury, Evans of Pittsfield, Graves, Hutchinson, Judkins, Littlefield, Morrill of Hopkinton, Morrill of Concord, Morse, Quimby of Bow, Sanborn of Franklin, Sanborn of Loudon.

HILLSBOROUGH COUNTY. Barnard, Branch, Buchanan, Corey, Cummings of Nashua, Dodge, Doe, Fisk, Flynn, Gillis, Gove, Hadley, Hall of Greenville, Lefèvre, O'Neal, Russell of Windsor, Sawyer, Stevens of Bennington, Woodbury of Pelham.

CHESHIRE COUNTY. Brown of Walpole, Collins of Gilsum, Driscoll, Kiniry, Parsons of Swanzey, Taylor, Watkins.

SULLIVAN COUNTY. Newman, Newton of Unity, Sargent of Sunapee, Walker.

GRAFTON COUNTY. Abbott of Bethlehem, Bingham, Burley, Clough, Dalton, Davis of Warren, James, Keniston, Lamprey of Orford, Martin of Grafton, Noyes, Page of Haverhill, Parker of Franconia, Perley, Pillsbury, Robie of Plymouth, Sargent of Holderness, Story, Tarlton, Weeks of Woodstock.

COOS COUNTY. Amy, Burnham of Jefferson, Cook, Dudley, Evans of Gorham, Leighton, Owen, Pike of Stark, Smith of Lancaster.

One hundred and forty-five gentlemen voted in the negative, viz. :

ROCKINGHAM COUNTY. Cilley, Darbe, Eaton of South Hampton, Emerson of Hampstead, Healey of Hampton Falls, Holmes of Nottingham, Lane of Hampton, Martin of Fremont, Neale of South Newmarket, Reynolds, Robie of Londonderry, Rowe, Smith of Northwood, Wheeler.

STRAFFORD COUNTY. Haley of Barrington, Hussey, Nealley, Rines, Seavey of Somersworth, Twombly, Varney, Yeaton.

BELKNAP COUNTY. Brown of Gilmanton, Davis of Belmont, Emerson of New Hampton, Knight, Leavitt, Pepper, Rollins, Sanders, Smith of Meredith, Smith of Laconia, Weeks of Gilford.

CARROLL COUNTY. Atkinson, Brown of Moultonborough, Fellows of Sandwich, Gilman, Manning, Mason, Weeks of Chatham.

MERRIMACK COUNTY. Adams, Bean of Warner, Clark of Henniker, Crippen, Edgerly, Emmons, Fletcher, Gay, Greene,

Hall of Epsom, Holmes of Webster, Lantry, Larabee, Page of Dunbarton, Rowell of Concord, Sargent of New London, Shaw, Thompson, Webster.

HILLSBOROUGH COUNTY. Bosworth, Campbell of Manchester, Chase, Cheney of Manchester, Collins of Nashua, Crawford, Cummings of Francestown, Dockham, Dow, Dunlap of Nashua, Freeman, Goodell, Goodhue, Gordon, Gould of Manchester, Hamblett, Harrison, Heath, Hills, Jacobs, McIntosh, Parker of Goffstown, Potter, Prescott, Robie of Manchester, Robitaille, Smith of Milford, Smith of New Boston, Spaulding, Stickney, Sulloway, Webster of Manchester, Woodward of Lyndeborough, York.

CHESTER COUNTY. Bigelow, Bowen, Butler, Carpenter, Ellis, Farwell, Faulkner, Fay, Goodnow, Hale, Howard, McCollester, Perry, Smith of Alstead, Stearns of Hinsdale, Wardwell, Whittemore, Wright.

SULLIVAN COUNTY. Bascom, Cheney of Newport, Farnham, Fisher, Gould of Newport, Holt, Johnson, Neal of Acworth, Sabine, Stockwell, Tyler, Wellman, Whipple of Claremont.

GRAFTON COUNTY. Aldrich, Ballou, Calhoun, Huntington, Kendrick, Muchmore, Palmer, Pratt, Smith of Hanover, True, Warner, Whipple of Lebanon.

COOS COUNTY. McKellips, Miner, Phipps, Quimby of Whitefield.

And the motion did not prevail.

The question was then put by the speaker on the motion to reconsider and refer of Mr. Sanders of Laconia, and on this question Mr. Page of Haverhill called for a division, and a division was had with the following result :

One hundred and thirty-three gentlemen voted in the affirmative, and one hundred and twenty-two in the negative, and the motion prevailed.

On motion of Mr. Cummings of Francestown, the House adjourned.

AFTERNOON.

The House met at 3 o'clock.

(The speaker in the chair.)

REPORT OF COMMITTEE.

Mr. Cummings of Frantestown, for the Committee on the Judiciary, presented the following report :

The Committee on the Judiciary, to whom was referred the Senate bill No. 1, entitled "An act relating to the basis of representation in the House of Representatives," having considered the same, are of the opinion that the bill contains only a declaration of a fact which existed and was acted upon at the election on November 4, 1890, and a direction to the clerk to perform a duty which he is already compelled to perform by the Constitution, the supreme law of the State ; they therefore report the same with the following resolution :

Resolved, That it is inexpedient to legislate.

GEORGE W. CUMMINGS,
Chairman.

The undersigned members of the committee concur in the resolution of the committee "that it is inexpedient to legislate," upon the ground that the legislation proposed in the bill is wholly unconstitutional and an unwarranted attempt to control the action of the next Legislature.

HARRY BINGHAM.
E. B. S. SANBORN.
OLIVER E. BRANCH.
JOHN S. COLLINS.
SAMUEL B. PAGE.

MINORITY REPORT.

DECEMBER 4, 1890.

The undersigned, a member of the Committee on the Judiciary, to whom was referred the Senate bill No. 1, entitled "An act

relating to the basis of representation in the House of Representatives," having considered the same, is unable to agree with the majority of the committee, and recommends its passage.

HERMAN HOLT.

Mr. Cheney of Newport moved to substitute the minority report for the report of the committee.

(Discussion ensued.)

The following-named gentlemen spoke in favor of the motion, viz. :

Messrs. Holt of Claremont, Cheney of Newport, and Reed of Westmoreland.

The following-named gentlemen spoke against the motion, viz. :

Messrs. Greene of Hopkinton, Amy of Stratford, and Bingham of Littleton.

The motion did not prevail.

The report of the committee was then unanimously accepted.

Mr. Wardwell of Winchester asked for another reading of the report of the committee, and the speaker read the same.

On the question,

Shall the resolution of the committee "that it is inexpedient to legislate," be adopted?

Mr. Dunlap of Nashua demanded the yeas and nays, and the clerk proceeded to call the roll with the following result :

Roll-call of the House.

One hundred and sixty-three gentlemen voted in the affirmative, viz. :

ROCKINGHAM COUNTY. Austin, Brewer, Brown of Raymond, Casey, Conlon, Eaton of Auburn, Eaton of South Hampton, Eaton of Seabrook, Eldredge, Emerson of Hampstead, Flanders of Plaistow, Folsom, Greenough, Hall of Chester, Hodgdon of

Portsmouth, Hodgdon of Newmarket, Hoyt, Lamprey of North Hampton, Packer, Pickering, Pike of Epping, Rand, Randall, Robie of Londonderry, Rowell of Newton, Russell of Portsmouth, Scammon, Smith of Northwood, Stoddard, Treadwell, Turner, Milton G. Woodbury, Oliver G. Woodbury.

STRAFFORD COUNTY. Barker, Bennett, Burnham of Durham, Coburn, Flanders of Rochester, Hartigan, Killoren, Laughlin, Norris, Parsons of Somersworth, Plummer, Ritchie, Seavey of Rochester, Straw, Torr, Welch of Somersworth, Willey.

BELKNAP COUNTY. Brown of Gilmanton, Cox, Daniels.

CARROLL COUNTY. Ames, Davis of Conway, Gale, Garvin, Milliken, Perkins, Roberts, Stuart, Woodward of Conway.

MERRIMACK COUNTY. Ayers, Bartlett, Campbell of Concord, Carr, Clark of Henniker, Davis of Franklin, Dunlap of Salisbury, Edgerly, Evans of Pittsfield, Graves, Greene, Holmes of Webster, Hutchinson, Judkins, Lantry, Littlefield, Morrill of Hopkinton, Morrill of Concord, Morse, Quimby of Bow, Sanborn of Franklin, Sanborn of Loudon, Sargent of New London, Webster.

HILLSBOROUGH COUNTY. Barnard, Branch, Corey, Crawford, Cummings of Francestown, Cummings of Nashua, Dodge, Doe, Fisk, Flynn, Gillis, Goodell, Gordon, Gove, Hadley, Heath, Lefèvre, O'Neal, Prescott, Russell of Windsor, Spaulding, Stevens of Bennington, Sulloway, Webster of Manchester, Woodbury of Pelham, York.

CHESHIRE COUNTY. Bigelow, Brown of Walpole, Carpenter, Collins of Gilsum, Driscoll, Faulkner, Kiniry, Parsons of Swanzey, Taylor, Watkins, Whittemore.

SULLIVAN COUNTY. Farnum, Newman, Newton of Unity, Sabine, Sargent of Sunapee, Walker.

GRAFTON COUNTY. Abbott of Bethlehem, Bingham, Clough, Dalton, Davis of Warren, Huntington, James, Keniston, Lamprey of Orford, Martin of Grafton, Muchmore, Noyes, Page of Haverhill, Parker of Franconia, Perley, Pillsbury, Robie of Ply-

mouth, Sargent of Holderness, Story, Tarlton, Weeks of Woodstock.

COOS COUNTY. Amy, Burnham of Jefferson, Cook, Dudley, Evans of Gorham, Leighton, Miner, Owen, Phipps, Pike of Stark, Quimby of Whitefield, Smith of Lancaster.

One hundred and ten gentlemen voted in the negative, viz. :

ROCKINGHAM COUNTY. Cilley, Darbe, Fellows of Exeter, Healey of Hampton Falls, Holmes of Nottingham, Ilsley, Lane of Hampton, Martin of Fremont, Neale of South Newmarket, Reynolds, Rowe, Wheeler.

STRAFFORD COUNTY. Avery, Haley of Barrington, Nealley, Rines, Steele, Twombly, Waldron, Yeaton.

BELKNAP COUNTY. Emerson of New Hampton, Knight, Leavitt, Pepper, Rollins, Sanders, Smith of Meredith, Smith of Laconia, Weeks of Gilford.

CARROLL COUNTY. Atkinson, Brown of Moultonborough, Fellows of Sandwich, Gilman, Manning, Mason, Weeks of Chatham.

MERRIMACK COUNTY. Adams, Bean of Warner, Emmons, Fletcher, Gay, Hall of Epsom, Larabee, Rowell of Concord, Shaw, Thompson.

HILLSBOROUGH COUNTY. Bosworth, Buchanan, Campbell of Manchester, Chase, Cheney of Manchester, Collins of Nashua, Dockham, Dow, Dunlap of Nashua, Freeman, Goodhue, Gould of Manchester, Hall of Greenville, Hamblett, Harrison, Hills, Jacobs, McIntosh, O'Malley, Parker of Goffstown, Potter, Robie of Manchester, Robitaille, Smith of Milford, Smith of Newton, Stickney, Woodward of Lyndeborough.

CHESTER COUNTY. Bowen, Butler, Ellis, Farwell, Fay, Goodnow, Howard, McCollester, Perry, Reed, Smith of Alstead, Stearns of Hinsdale, Wardwell, Wright.

SULLIVAN COUNTY. Bascom, Cheney of Newport, Fisher, Gould of Newport, Holt, Johnson, Neal of Acworth, Stockwell, Tyler, Wellman, Whipple of Claremont.

GRAFTON COUNTY. Aldrich, Ballou, Burley, Calhoun, Kendrick, Palmer, Pratt, Smith of Hanover, True, Warner, Whipple of Lebanon.

Coos COUNTY. McKellips.

And the resolution was adopted.

Mr. Learnard of Derry, who would have voted in the negative, was paired with Mr. Sawyer of Greenfield, who would have voted in the affirmative.

REPORT OF COMMITTEE.

Mr. Branch, for the Committee on the Judiciary, to whom was referred the message of His Excellency the Governor, having considered the same, report the same with the following resolution:

Resolved, That in view of the legislation already passed and considered by the Legislature at this session, touching the subjects referred to in the message of His Excellency the Governor, it is the opinion of the committee that no further action at this time is expedient.

The report was accepted and the resolution adopted.

On motion of Mr. Page of Haverhill, —

Resolved by the House of Representatives, the Senate concurring, that the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 12 o'clock noon.

A RESIGNATION.

The following resignation was read by the speaker :

Speaker Upton :

I hereby resign as one of Committee on Elections.

Respectfully,

A. T. LEARNARD.

CONCORD, December 4, 1890.

On motion of Mr. Page of Haverhill, the House adjourned.

FRIDAY, DECEMBER 5, 1890.

The House met at 10 o'clock.

(The speaker in the chair.)

Prayer was offered by Rev. S. H. McCollester of Marlborough.

On motion of Mr. Hodgdon of Portsmouth, —

Resolved, That the clerk have authority to revise the mileage-roll when he is satisfied that a change in the amount of mileage due any member should be made.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate have passed the following entitled bill, in the passage of which they ask the concurrence of the House of Representatives :

An act to revive and extend the charter of the Exeter Railway.

FIRST READING OF A BILL.

The following entitled bill sent down from the honorable Senate was read once :

An act to revive and extend the charter of the Exeter Railway.

The question being,

Shall the bill be read a second time?

Messrs. Greene of Hopkinton and Hodgdon of Portsmouth made remarks explanatory of the bill. Mr. Page of Haverhill also spoke in relation to the bill.

Mr. Greene of Hopkinton moved that the rules be suspended, and that the bill be read a second and third time by its title at the present time and put upon its passage.

The motion was adopted.

The bill was then read a second and third time by its title and passed.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate have passed the following concurrent resolution, in the passage of which they ask the concurrence of the House of Representatives :

Resolved by the Senate, the House of Representatives concurring,
That the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 11 o'clock A. M.

The following concurrent resolution, sent down from the honorable Senate, was concurred in :

Resolved by the Senate, the House of Representatives concurring,
That the present session of the Legislature be brought to a final adjournment on Friday, December 5, 1890, at 11 o'clock A. M.

REPORT OF COMMITTEE.

Mr. Wheeler of Derry, for the Committee on Engrossed Bills, made the following report :

The Committee on Engrossed Bills have examined and found correctly engrossed the following :

An act in addition to chapter 3 and chapter 35 of the General Laws, further defining the qualifications of legislative officers and the duties of the assistant clerk of the House of Representatives and of the Senate.

An act to incorporate the Berlin Savings Bank and Trust Company.

Joint resolution in favor of Ira E. Brown.

Joint resolution in relation to the appropriation provided by chapter 122 of the Laws of 1887, for a Digest of the New Hampshire Reports.

Mr. Holt of Claremont explained to the House his reasons for making certain statements in his speech to the House yesterday, in regard to a telegram produced before the Committee on the Judiciary by Hon. Charles A. Sinclair.

RULES SUSPENDED.

Mr. Hodgdon of Portsmouth moved that the rules be suspended and that he be permitted to introduce the following entitled joint resolution :

Joint resolution in favor of the clerks of the Senate and House.

The motion was adopted, and the resolution was read a first time.

On motion of the same gentleman, the rules were further suspended and the resolution was read a second and third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Page of Haverhill, the rules were suspended and the following entitled joint resolution was introduced by him, read a first, second, and third time, passed, and sent to the Senate for concurrence.

Joint resolution in favor of Lewis Jenkins and others.

On motion of Mr. Crawford of Manchester, —

Resolved, That Edmond Blais be entitled to four days' attendance and mileage.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate concur with the House of Representatives in the passage of the following joint resolution :

Joint resolution in favor of the clerks of the Senate and House.

The Senate concur with the House of Representatives in the passage of the following joint resolution with an amendment, in the passage of which amendment they ask the concurrence of the House of Representatives :

Joint resolution in favor of Lewis Jenkins and others.

Amend the joint resolution by adding the following words "and Arthur W. Howison, the sum of twenty-five dollars."

The House concurred with the honorable Senate in their amendment to the following entitled joint resolution :

Joint resolution in favor of Lewis Jenkins and others.

RULES SUSPENDED.

On motion of Mr. Page of Haverhill, the rules were suspended and the following entitled joint resolution was introduced by him, read a first, second, and third time, and passed, and sent to the Senate for concurrence.

Joint resolution in favor of Herbert F. Norris and others.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate concur with the House of Representatives in the passage of the following joint resolution :

Joint resolution in favor of Herbert F. Norris and others.

On motion of Mr. Crawford of Manchester, the House took a recess for ten minutes.

AFTER RECESS.

REPORT OF COMMITTEE.

Mr. Wheeler, for the Committee on Engrossed Bills, made the following report :

The Committee on Engrossed Bills report that they have carefully examined and found correctly engrossed bills and joint resolutions with the following titles, viz. :

An act to revive and extend the charter of the Exeter Railway.

Joint resolution in favor of the clerks of the Senate and House.

Joint resolution in favor of Lewis Jenkins and others.

Joint resolution in favor of Herbert F. Norris and others.

On motion of Mr. Sanders of Laconia, —

Resolved, That a committee of ten be appointed on the part of the House, with such as the Senate may join, to wait upon His Excellency the Governor and inform him that the business of the present session of the Legislature is brought to a close, and that both branches of the Legislature are ready to adjourn.

The speaker appointed the following gentlemen as members of such committee on the part of the House :

Messrs. Sanders of Laconia, Wright of Keene, Harrison of Manchester, Hodgdon of Portsmouth, Fellows of Sandwich, Smith of Lancaster, True of Lebanon, Carr of Andover, Avery of Milton, Cheney of Newport.

MESSAGE FROM THE SENATE.

The following message was received from the honorable Senate by their clerk :

Mr. Speaker :

The Senate concur with the House of Representatives in the passage of the following resolution :

Resolved, That a committee of ten be appointed by the House, with such as the Senate may join, to wait upon His Excellency the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make ;

And join as members of said committee on their part, Senators Ezra S. Stearns, Nute, and Perkins.

REPORT OF COMMITTEE.

Mr. Sanders of Laconia, for the committee appointed to wait upon His Excellency the Governor and inform him that the Legislature has completed the business of the session, reported that the committee had attended to that duty and that the Governor had a communication to lay before the House of Representatives.

The report was accepted, and immediately His Excellency David H. Goodell, Governor, appeared in the House of Representatives and delivered the following message :

STATE OF NEW HAMPSHIRE,

EXECUTIVE DEPARTMENT,

CONCORD, December 5, 1890.

To the House of Representatives :

Having been informed by a committee of both branches that the Legislature has completed the business before it and is ready to be adjourned, it is again my duty to declare a final adjournment of this body. The acts and resolutions passed by you have all received my approval ; their number is eight. I congratulate you upon the speedy and harmonious transaction of the business you were called together to perform, and I wish you a pleasant journey to your homes. I do now, by the authority vested in me, hereby adjourn the Legislature to the last Wednesday in December, in the year of our Lord one thousand eight hundred and ninety.

D. H. GOODELL, *Governor.*

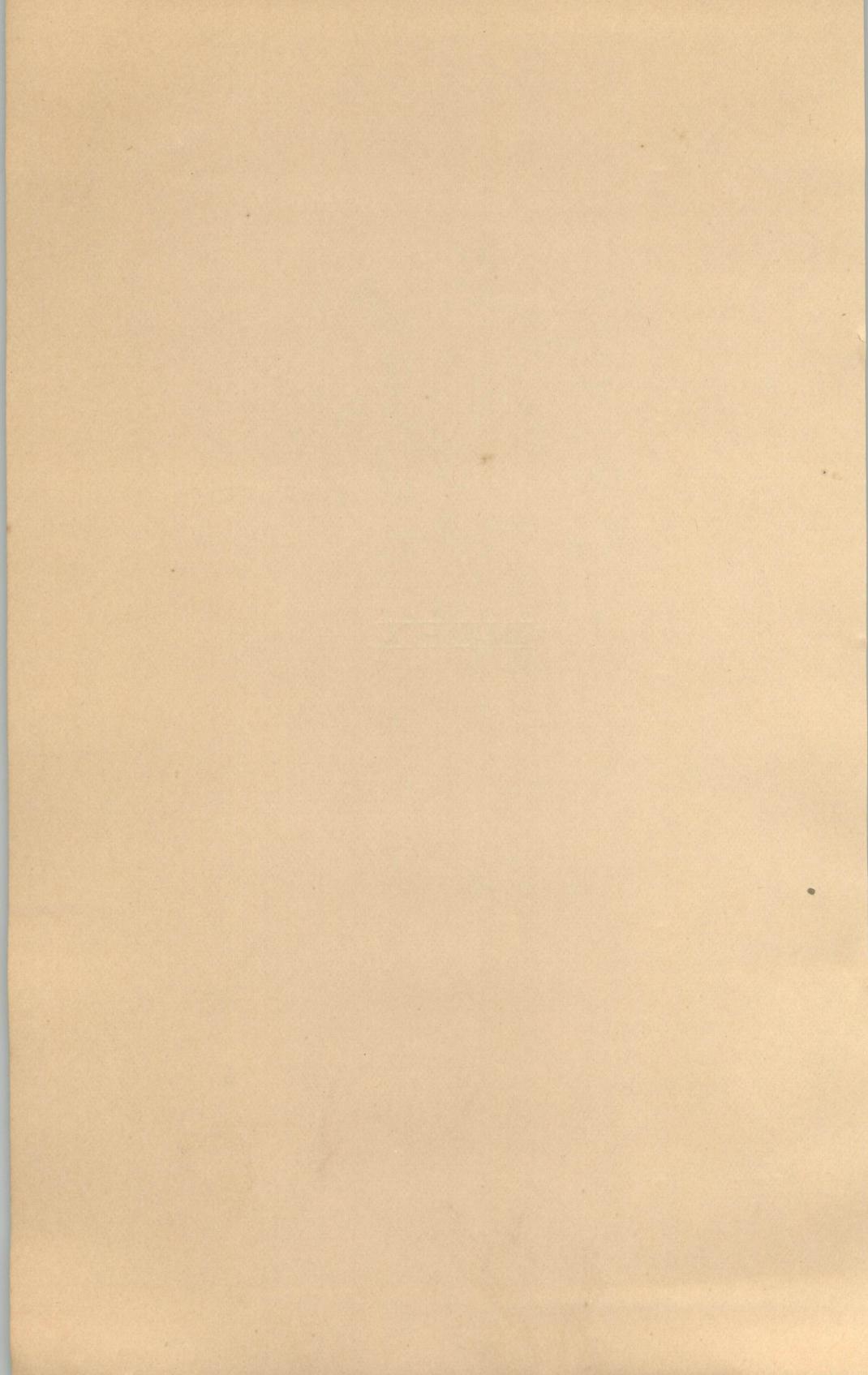
Whereupon the speaker declared the House adjourned to the last Wednesday of December, 1890.

STEPHEN S. JEWETT, *Clerk.*

A true copy. Attest :

STEPHEN S. JEWETT, *Clerk.*

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